

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 13-cr-20487
HON. GERSHWIN A. DRAIN

THOMAS MILLS,

Defendant.

ORDER STRIKING DEFENDANT'S LETTER REQUESTING BOND [#17]

On June 25, 2013, the Defendant was charged in a one-count Indictment with being a felon in possession in violation of 18 U.S.C. § 922(g)(1). On July 29, 2013, Defendant's counsel of record, James Gerometta, filed a Motion to Withdraw as Counsel and for Appointment of a CJA Panel Attorney. *See* Dkt. No. 12. On August 8, 2013, this Court conducted a hearing on Mr. Gerometta's Motion to Withdraw as Counsel. At the hearing, Defendant indicated that he did not wish to discontinue Mr. Gerometta's representation. Accordingly, Mr. Gerometta withdrew his Motion to Withdraw as Counsel and Defendant pled guilty to Count One of the Indictment on August 15, 2013. The Court set Defendant's sentencing hearing for December 12, 2013.

Presently before the Court is Defendant's letter, received by the Court on September 3, 2013, which the Court construes as Defendant's Motion for Bond. *See* Dkt. No. 17. Here, Mr. Gerometta is still Defendant's counsel of record. While the Sixth Amendment guarantees a criminal defendant the right to conduct his own defense and even represent himself, *see Faretta v.*

California, 422 U.S. 806, 819-20 (1975), the right of self-representation does not include the right to proceed in a hybrid manner. *United States v. Mosely*, 810 F.2d 93, 98 (6th Cir. 1987). A court's discretion to reject hybrid representation may apply to the filing of motions. *See United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994); *see also United States v. Melchor*, No. 10-20235, 2013 U.S. Dist. LEXIS 98884, *1 (E.D. Mich. July 16, 2013). Given that Defendant is represented by counsel, the Court will not review his letter/motion for bond because it was not filed by his counsel of record.

Accordingly, Defendant's Letter Requesting Bond [#17] is STRICKEN because he is represented by counsel. Defendant is hereby advised that a copy of his September 3, 2013 letter has been sent to Mr. Gerometta for his review.

SO ORDERED.

Dated: September 3, 2013

/s/Gershwin A Drain
GERSHWIN A. DRAIN
United States District Judge